

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CHUGAI PHARMACEUTICAL CO., LTD.,)
)
Plaintiff,)
)
v.) C.A. No. 18-1802 (MN)
)
ALEXION PHARMACEUTICALS, INC.,)
)
Defendant.)

THE COURT'S PROPOSED VOIR DIRE

Good morning, ladies and gentlemen. My name is Maryellen Noreika and I am the Judge who will be presiding over the trial in this civil case for which a jury is about to be selected.

I am going to ask you some questions, the purpose of which is to: (1) enable us to determine whether or not any prospective juror should be excused for cause; and (2) enable counsel for the parties to exercise their individual judgment with respect to what are called peremptory challenges, that is, challenges that counsel can make to a potential juror without giving any reason.

Before I ask any questions, I am going to ask my Deputy, Mr. Buckson, to swear the jury panel to answer all questions truthfully. (Panel sworn).

You each have a list of the questions that I am also going to read out loud. If any of you answer "yes" to any of the questions that I ask, make a note of that on the list. At the end of the questions, I will ask some of you whether you answered yes to any questions and, if you did, take you out into the hall where you will wait to talk with the lawyers and me about your answers.

We are having jury selection for a case that will begin today and last up to five days – until Friday of this week. The trial will be timed, so the attorneys have to complete their trial presentations within the five days. It is possible, however, that jury deliberations may require you

to be here longer than the scheduled five days. Our trial days will run approximately from 9:00 a.m. to 4:30 p.m. each day.

My questions:

1. Does the schedule that I have just mentioned present a special problem to any of you?
2. In this case, the Plaintiff is Chugai Pharmaceutical Co., Ltd. (“Chugai”) which has brought a lawsuit against the Defendant, Alexion Pharmaceuticals, Inc. (“Alexion”), alleging that Alexion infringes two of Chugai’s patents. Have you heard anything about this case prior to today?
3. Have you or has anyone in your immediate family or close friends had any dealings with, owned stock in, or been employed by Chugai or Alexion?
4. Have you or has anyone in your immediate family or close friends had any dealings with, owned stock in, or been employed by Roche or AstraZeneca PLC?
5. Do you have any opinions about or experiences with Chugai, Alexion, Roche, or AstraZeneca PLC or their products and services that might make it difficult for you to be a fair and impartial juror in this case?
6. Do you have any strong feelings, positive or negative, about pharmaceutical companies or the pharmaceutical industry that might make it difficult for you to be a fair and impartial juror in this case?
7. Do you have positive or negative opinions about foreign companies that might make it difficult for you to be a fair and impartial juror in this case?

8. The lawyers and law firms involved in this case are listed here. Please carefully review the list:

MORRISON & FOERSTER, LLP

Brian Kramer
Eric Acker
Akira Irie

SHAW KELLER, LLP

Karen Keller
Nate Hoeschen

MAYER BROWN

Brian Nolan
Manuel Velez
Lisa Ferri
Richard McCormick
Ying-Zi Yang

FARNAN LLP

Brian Farnan
Michael Farnan

Do you or your immediate family members or close friends know of, have any business dealings with, or been employed by any of these attorneys or law firms?

9. There are a number of witnesses who may testify in this case. Do you know, or know anything about, any of the following individuals who may testify:

- Tomoyuki Igawa
- Tetsuya Yamaguchi
- Gregory Bell
- Peter Tessier
- Aykut Uren
- John Williams
- Marin Xavier
- Derry Roopenian
- Paul Tamburini
- Bruce Andrien
- Yi Wang
- Christian Cobaugh

- Rajendra Pradhan
- Scott Rottinghaus
- Sally Collins
- Peter Condon
- Jeremy Springhorn
- Vikas Sinha
- Douglas Sheridan
- Todd Spalding
- Paul Parren
- Casim Sarkar
- Juan Carlos Almagro
- Vincent Thomas
- Zenjiro Sampei
- Shinya Ishii
- Takashi Nakai
- Chifumi Moriyama
- Colleen Tracy James
- Jason Kohari
- Christine Chou

Are you or is anyone in your immediate family or your close friends related to, or personally acquainted with, any of those individuals?

10. Have you or anyone in your immediate family or close friends had any experience with patents, patent law, patented technology, or the United States Patent and Trademark Office?

11. Have you or any member of your immediate family or close friend ever applied for or obtained a United States patent or foreign patent?

12. Do you have any opinions about patents that might make it difficult for you to be a fair and impartial juror in this case?

13. Have you or any member of your immediate family, your close friends, or your employer ever been involved in a dispute about patents?

14. Do you have any formal education or training or have you worked in any of the following fields: pharmaceuticals, law, medicine, biology, chemistry, or licensing of intellectual property?

15. Have you ever been a plaintiff, a defendant, or a witness in a lawsuit?
16. Have you ever served as a juror in a civil lawsuit?
17. This is the last question. Do you know of any other matter that you believe should be called to the Court's attention as having some bearing upon your qualifications or ability to sit as a juror, or that you think may prevent you from rendering a fair and impartial verdict based solely upon the evidence and my instructions as to the law?